NEW MEXICO PUBLIC REGULATION COMMISSION

"WORKING FOR YOU"

STRATEGIC PLAN | FY 2012-2015

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COMMISSION LETTER

Honorable Susana Martinez, Governor
Honorable Members of the New Mexico Legislature
State Capitol Building
Santa Fe, NM 87504

Dear Governor Martinez, Senators, and Representatives:

The New Mexico Public Regulation Commission (PRC) proudly submits its four-year Strategic Plan for Fiscal Years 2012 to 2015. The plan is designed to continue meeting the needs of consumers and businesses that the PRC oversees and regulates over a four-year interval. It is a living, working document that is subject to change and modifications as conditions evolve.

Regulating the public interest, which means ensuring that regulated entities continue to provide safe and reliable services, while balancing the financial interests of those entities with those of consumers, is at the core of the PRC's mission. The PRC is deeply involved in rapidly changing environments of the utility, transportation, and insurance sectors. The PRC's regulatory activities are directed at implementing New Mexico's statutory policies in the vital areas of energy and telecommunications. We are proud of our role supporting continued development of new technologies, from increased use of renewable energy and energy efficiency, to the widespread deployment of broadband access across out state. We also take very seriously our obligation to ensure public safety through the activities of the PRC's Pipeline Safety Bureau, our Transportation Division, and the State Fire Marshal Division, which includes the State Firefighters in Socorro.

For our strategic plan, target groups were developed and are listed in the plan to specifically identify where the PRC directs its efforts in meeting general and common goals. Performance measures are used as a tool and source of information within each group to measure the PRC's progress. Our agency will use this plan as a compass for guiding future activities.

Respectfully submitted,

Patrick H. Lyons, Chairman
New Mexico Public Regulation Commission

EXECUTIVE SUMMARY

The New Mexico Public Regulation Commission submits its 2012–2015 Strategic Plan. PRC management and staff have strived to implement and monitor this strategic planning process, which includes a coordinated assessment of the agency's internal environment. A review of the statutory duties of the Commission and external influences on the agency continues to be an ongoing process. As in years prior, financial resources and technology continue to figure prominently in the success of this strategic plan.

The PRC Strategic Plan integrates suggestions and concepts from the Commission, the PRC management team and PRC staff. This plan attempts to project the various impacts that proposals will have on the agency in the future. The Strategic Plan continues to evaluate critical issues to ensure implementation of strategic initiatives.

COMMISSION MANDATE

The New Mexico Public Regulation Commission is comprised of five commissioners who are elected from statewide districts. The PRC was created by Article XI, Section 2 of the Constitution of New Mexico, and the Public Regulation Commission Apportionment Act, NMSA 1978, section 8-7-1.

The legislature set forth the Commission's general powers and duties in NMSA 1978, section 8-8-4.

MISSION

The Public Regulation Commission (PRC) regulates utilities, telecommunications, motor carriers and insurance industries to ensure fair and reasonable rates, and to assure reasonable and adequate services to the public as provided by law. The PRC promotes public safety through the offices of state fire marshal, the firefighter training academy, and pipeline safety bureau and transportation division. The PRC has the responsibility for the registration of all corporations doing business in New Mexico.

VISION

Leading New Mexico through ethical and balanced regulation, protecting critical infrastructure and ensuring safe, reliable and affordable essential services. Advancing the public interest through teamwork, promoting economic development and environmental responsibility while strengthening public accessibility and education.

To carry out the mission and vision, the Commission:

- Cultivates a workforce that has expertise in management and supervision; industry regulation; leading-edge technology; and complex case management.

- Devotes financial and human resource management to balance competing interests, including individual consumer interests versus business interests; openness versus confidentiality and privacy; accountability for rates versus demand for their use; and limited human and financial resources versus multiple needs.

- The Commission advances and promotes an understanding of the agency's role in state government; creates a statewide environment conducive to reasonable regulatory oversight; and establishes the agency as an effective government organization, which is responsive to the citizens of New Mexico.

The Commission has identified and incorporated common and transparent overarching goals and objectives that identify the target stake holders of this plan. The plan is developed based on the stake holders groups.

Target Groups

- Working for You (External)
- Working on Us (Internal)
- Catalyst (Drivers)

General/Common Goals

- Improving External Communication (Working for You)
- Fostering and Maintaining Positive Relationships with Decision Makers (Working for You)
- Developing PRC Staff (Working on Us)
- Improving Internal Communication (Working on Us)
- Transforming Culture for Continuous Improvement (Catalyst)

The Strategic Plan is organized by specific component units and functions of the PRC. Each has its own specific goals and plans that are incorporated into the overall agency plan. Some of the units have statutory performance measures, which are stated while other units have their own internally established goals and guidelines. These measures and goals are used to assist the Commission in its development and deployment of the Strategic Plan.

THE COMMISSION

OVERVIEW

The Commission is comprised of five individually elected Commissioners representing all areas of the state. Commissioners serve an initial four year term and may be re-elected to a second term, but are limited to no more than two consecutive terms. To maintain the stability of the Commission, Commissioners are elected on a staggered election cycle. Each Commissioner is complemented by an Executive Assistant who serves as the Commissioner's sole staff member.

The Commission is the overall regulatory authority for a wide variety of industries, which is unique in that New Mexico is the only state where a single regulatory body has this many responsibilities. In its forward-looking vision, the Commission addresses human capital needs that will assist in promoting the regulatory function of the agency. With the broad level of regulatory responsibilities the Commission must consider future resources needed in order to make informed adjudications. The Commission continues work to expand professional staff within areas of the agency as outlined in the Strategic Plan. The area specific to the Commission is listed below while other needs are contained within the respective division and bureau plans.

INITIATIVES, GOALS AND OBJECTIVES

Initiative 1: Organizational Structure

Goal (Catalyst)
Continue the development of a well-integrated regulatory agency that effectively implements legislative policies by balancing the interests of public safety, consumer protection, and the promotion of private economic activity.

Objectives
1. Ensure that all decisions are made through processes that meet applicable legal standards, that maximize public input, and that are fair, impartial, and transparent.
2. Ensure that PRC staff has the resources and capabilities to adequately represent the public interest in matters before the Commission.
3. Provide Commissioners with access to technical resources that are not bound by *ex parte* restrictions.
4. Ensure that all divisions are responsive to consumer interests.

Initiative 2: Energy

Goal (Working for You)
Guide utilities towards plans and activities that provide for long-term rate stability, decreased environmental impact from carbon dioxide and other emissions, and that support economic development in New Mexico.

Objectives
1. Ensure that utility renewable procurement plans achieve the goals of the REA to develop a diverse, cost effective base of renewable resources.

2. Ensure energy efficiency plans by gas and electric utilities are effective, equitable, and provide systematic benefits for utility customers.
3. Ensure that utility integrated resource plans (IRPs) are effective tools to design the most cost-effective portfolios of supply and demand side resources that will use renewable sources, energy efficiency and demand management, advanced conventional technologies, and distributed generation to provide for long-term rate stability and decreased environmental impacts.
4. Develop legislative packages to extend the REA.
5. Promote legislation for building and appliance standards that cost-effective complement utility-based energy efficiency programs.
6. Serve as a resource for local government initiatives.

Initiative 3: Transportation

Goal (Working for You)
Harmonize the regulatory treatment of motor carriers with utilities and telecommunications through procedural consistency, and through regulatory reform that improves consumer protection while reducing regulatory intervention into private economic decisions made in competitive markets.

Objectives
1. Expand regulatory enforcement to ensure compliance with regulatory laws.
2. Review and direct regulatory reform for consistency with industry standards and practices while reducing unnecessary oversight.

Initiative 4: Administration

Goal (Working on Us)
Strengthen and enhance current staff competencies through the promotion of training and career enhancement, while increasing team building within the PRC and with other agencies to promote statewide goals and initiatives beneficial to New Mexico consumers and businesses; to increase staffing levels needed to balance out functions in order for the agency to be in compliance with and carry out the duties charged by respective laws, statutes, and other external mandates.

Objectives
1. Build skilled staff.
2. Request funding for a study of agency operational and compliance needs to ascertain areas where human capital resources are needed.
3. Request positions through the appropriation process and successfully lobby for additional FTE.

Initiative 5: Public Safety - Fire

Goal (Working for You)
Promote public safety through the State Fire Marshal's Office and State Fire Fighters Training Academy by providing direction on the course of action for that these units must engage in to increase public safety in the coming years.

Objectives
1. Promote and expand outreach training for local and volunteer fire districts to lessen the fiscal burden while increasing their skill level.

2. Expand the relationship between the State Fire Marshal and contractors, engineers and architects to ensure the construction of new buildings and the re-construction of existing units contain the requisite fire suppression and egress that is most protective of assets, especially human.

Initiative 6: Consumer Outreach and Education

Goal (Working for You)
To ensure that consumer protection services are paramount and that products are promoted fairly in a manner that is not restrictive to the business environment while safeguarding the consumer. The Commission must be diligent in its pursuit of consumer protection, advocacy, outreach and education.

Objectives
1. Increase the promotion of consumer advocacy and rights seminars within the State of New Mexico.
2. Increase awareness of the Consumer Relations Divisions functions and accessibility to the consumer.

Initiative 7: Commissioner Advisory Staff

Commissioners have a responsibility to the people and the regulated industries of New Mexico to make decisions that are fair and equitable to all parties. Commissioners accomplish this by reviewing and assessing large volumes of information within a limited amount of time. Additional staff such as a legal clerk, engineer or economist would allow technical research to be conducted by such staff and disseminated that would assist Commissioners in drafting rulings and opinions specific to their function. These positions would be located within specific support divisions.

Goal (Working on Us/Working for You)
The goal is to produce adjudications and legal documents that are informed and comprehensive and that will have the most benefit to the stake holders under the jurisdiction of the Commission.

Objectives
1. To have accurate legal opinions
2. Perform detailed comprehensive reviews of documentation received by the Commission.

Fiscal Year 2013 Action Plan
A review and analysis of the potential implementation of this program will be conducted by the advisory staff to access the course of action that should be taken to enhance the effectiveness of the Commission.

Description of Measure
Successful completion can be measured by the increased information brought to the Commission prior to hearings and rulings.

Measurement Method
Quality of service as determined by the consumer and through performance review by the Commission.

CHIEF OF STAFF

OVERVIEW

The Office of the Chief of Staff facilitates communication between the Commissioners and all senior staff and employees of the PRC and has direct oversight over all Commission Division Directors. The Chief of Staff's duties and responsibilities are specifically identified in NMSA 1978, section 8-8-5. In addition, the Chief of Staff works in collaboration with the Legislative and Executive branches of government to maintain fluid communication and ensure that agency goals and mandates are accomplished.

The Chief of Staff sets the ethos of the management team with the consent of the Commission. From this office strategic and operational planning, which includes fiscal, human capital, and information systems, are developed with the management team to develop and formulate leadership for the agency's future. The specific plans of action are listed in the respective divisions and bureaus.

The Chief of Staff maintains oversight and management of the PRC's Public Information Officer. The Public Information Officer serves as the Agency's first point-of-contact with news media outlets and disseminates news releases to inform the public of the Commission's actions and public policy initiatives. The Commission is constitutionally charged with Government-to-Government relations "to cooperate with tribal and pueblo governments on topics over which the commission and the other governments have jurisdiction and conduct joint investigations, hold joint hearings and issue joint or concurrent orders as appropriate."

To address the declining revenues affecting state government, the chief of staff will be implementing strategies to increase efficiencies and effectiveness of service to PRC customers while reducing cost and budget applications. This will be accomplished through the cross functional assessment, measurement, streamlining and continuous improvement of internal processes and systems.

OFFICE OF GENERAL COUNSEL

OVERVIEW

The Office of General Counsel consists of the General Counsel, the General Counsel to the Superintendent of Insurance, four associate general counsels and two paralegals. The General Counsel to the Superintendent advises the Superintendent on insurance matters and represents that official in court and also advises the Commission on insurance matters from time to time. The other members of the Office of General Counsel advise the Commission on administrative law matters and on cases pending before the Commission, which involve among other things, the regulation of utilities, telecommunication carriers and transportation carriers. The Office of General Counsel also assists the Commission in rule making and defends Commission decisions in the New Mexico Supreme Court and other State and Federal Courts, and may bring enforcement actions in court on behalf of the Commission.

HEARING EXAMINERS

OVERVIEW

The Hearing Examiners function as administrative law judges in the cases assigned to them by the Commission. They set hearings and conferences, establish procedures and details for the conduct of proceedings, ensure that a full and adequate record is established as required by law and Commission rules, make rulings on procedural and evidentiary matters, conduct hearings, admit evidence into the record, analyze evidence, briefs and applicable laws, rules and orders, decide whether to certify stipulations negotiated by parties to the Commission, and make recommended decisions to the Commission, including findings of fact, conclusions of law and ordering paragraphs.

The cases assigned are often large and complex, where multiple parties are represented by their own attorneys and expert witnesses in fields such as accounting, engineering and economics/cost of capital, where large numbers of people and substantial assets can be affected and where legal principles must be applied to complex factual and policy situations. In this context, the Hearing Examiners endeavor to conduct assigned cases in a manner which promotes public confidence in the Commission's processes and decisions, maintains order, develops the record for a rational decision, provides due process and maintains professionalism, while leaving final decisions to the Commission.

ADMINISTRATIVE SERVICES DIVISION

OVERVIEW

The Administrative Services Division (ASD) provides support services to the divisions and programs of the agency. Those services include general, financial and human capital management, capital assets oversight, records management, corporation's registration, and information technology systems. By statute (NMSA 1978, section 8-8-7) The Director of ASD serves as the CFO and Chief Clerk of the Commission, as such, "the director of the administrative services division of the commission shall record judgments, rules, orders and other proceedings of the commission and make a complete index to the judgments, rules, orders and other proceedings; issue and attest all processes issuing from the commission and affix the seal of the commission to them; and preserve the seal and other property belonging to the commission."

MISSION

The mission of the Administrative Services Division is to provide and deliver guidance, information and expertise in the areas of administrative support to all divisions of the Commission and corporate consumers in an efficient and positive manner to ensure that the Commission meets statutory, regulatory and internal administrative requirements.

The demands placed on the Administrative Services Division dictate that it must be the visionary for the agency when it comes to strategic planning. It is the responsibility of the Division to direct and lead by example and to assist the other members of the Commission in the areas of strategy and policy formulation.

VISION

The vision of the Administrative Services Division is to take a proactive, forward-thinking and flexible management and strategic planning approach to anticipate and meet the current and future needs of the Public Regulation Commission.

ORGANIZATION

The Administrative Services Division is composed of five bureaus: Budget and Finance, Records Management; Human Resources; Information Technology Systems and Corporations.

OPERATIONS

The **Budget and Finance Bureau** works to facilitate the agency's fiduciary responsibility and is accountable for maintaining the business functions of the PRC. The bureau is lead by ASD Director/CFO.

The **Human Resources Bureau** performs timekeeping, general personnel, labor relations, and training functions for the agency. The bureau one full-time employee that is responsible for performing EEOC and labor relations duties.

The **Information Systems Bureau** (ISB) supports all of the agency's computer and telecommunications systems, and is also responsible for maintaining and adjusting the Information Technology Plan. The bureau is lead by the Chief Information Officer.

The **Records Bureau** (RB) is responsible for retaining and safeguarding all original case files produced by the various component units of the Commission. The bureau also is responsible for reproducing these documents and performs record archival processing.

The **Corporations Bureau** (CB) ensures industry compliance by issuing certificates of incorporation/authority, overseeing the organization and registration of limited liability companies, and verifying the completeness and accuracy of related charter documents. In addition, the Corporations Bureau also collects fees, updates corporate information files with information relevant to officers, directors and registered agents, and also interacts with other state and federal agencies.

INITIATIVES, GOALS AND OBJECTIVES

Initiative 1: Corporations Bureau Electronic Application, Reporting & Payment Acceptance

The Corporations Bureau receives all corporate applications and reports in hard copy format. Additionally, a;; payments are in the form of financial instruments that are delivered to the bureau by mail service, the consumer, or third party agent acting on behalf of a consumer. With the advent of electronic banking and increased number of state agencies who are accepting electronic payments, either by direct online banking or credit card, the corporation's bureau will increase its accessibility and enhance its business processes to be more customer friendly. Electronic applications, payments and reporting would guarantee thus eliminating the chance for lost or insufficient checks coming into the bureau.

Goal: Working for You

The goal of the initiative is to allow customers an avenue, via the internet, to apply or report, and payment payments on behalf of their corporations.

Objectives

The objective is to increase customer accessibility to the Corporations Bureau and be able to view their corporation's status online.

Fiscal Year 2013 Action Plan

The Administrative Services Division will work to develop the necessary software to implement a workflow process that will allow for electronic payment to be accepted by the PRC Corporations Bureau. Business processes from other agencies will be reviewed to incorporate best practices and develop a specific procedure and software program. Once fully designed and operational, the new payment acceptance method will be advertised via the PRC website and through other media.

Description of Measure

Successful completion can be measured by the increase in the number of consumers who use the new application, reporting and payment method.

Measurement Method

1. Quality of deposits (reduction in the amount of insufficient checks and estimated savings of staff time and cost to consumers).
2. Efficiency of deposits made to state fiscal agent from a statutory timeframe of no greater than 14 days down to five days.
3. Quantity of time reduction to process applications and deposits from an average of five days to two.
4. Quantity of time reduction to process corporate reports from 10 days down to two.

Initiative 2: Website Development

The Commission continues to enhance its website to be user friendly and used as a tool for information to consumers and the public. The Commission has in house developers who are trained to modify and enhance the website as needed. The Commission has launched a new website in FY2012.

Goal: Working for You

The agency strives to increase access to information to the public by expanding the amount of information that can be obtained via the NMPRC website including current and former cases.

Objectives

The objectives are to continue building a user friendly website that provides up to date information for external users, make the information easily accessible by external and internal users, and promote the public services as endorsed by the Commission.

Fiscal Year 2013 Action Plan

The Administrative Services Division along with staff from other programs will continue to evaluate the needs and priorities of the Commission and its customers. The action plan will create a more user-friendly website and add enhancements as more information is available and accessible to the public.

Description of Measure

Successful completion can be measured by the increase in the number of consumers who access and use the website to obtain information and/or conduct business with the PRC.

Measurement Method

1. Quality of feedback from consumers.
2. Quantity of time reduction to access information.
3. Quality of information on website.
4. Efficiency of using the website by external and internal users.

Initiative 3: Staff Development

The Administrative Services Division is charged with providing general training and staff development to agency personnel in the areas of labor law, human and financial policies and procedures, and employee safety. The Commission recognizes that competent and professionally developed staff produce a better workforce that experiences improved professionalism, work product, and employee morale.

Goal: Working on Us

The agency strives to expand and develop a premier workforce and work environment that fosters communication and rewards excellence.

Objectives

The Commission plans to accomplish this on-going vision by promoting communication at all levels, empowering employees, developing a professional workforce through training, recognizing and rewarding employee feedback and performance.

Fiscal Year 2013 Action Plan

The Administrative Services Division will continue to develop instruments and deliver training for all employees, review, enhance and educate staff on current and revised policies and procedures, and provide training to supervisors and managers.

Description of Measure

Successful completion can be measured by the increase in the productivity and knowledge of agency personnel, and increase in the dissemination of information.

Measurement Method

1. Quality of feedback from employees.
2. Quantity of training provided to staff.
3. Quality of staff by provided by external customers.
4. Number of staff growth over course of strategic plan.

UTILITY DIVISION

OVERVIEW

The Utility Division serves as staff to the Commission in the regulation of electric, natural gas, renewable energy sources, telecommunications and water and wastewater systems as provided by law, NMSA 1978, section 8-8-12.

MISSION

It is the mission of the Utility Division to provide expert analysis and testimony in support of the public interest in utility matters before the Commission in the areas of economics, accounting and engineering.

ORGANIZATION

The Utility Division consists of the entire technical advocacy staff of the former Public Utility Commission, plus the Telecommunications Bureau from the former Corporation Commission. The Division is organized into five bureaus: Accounting; Economics; Electrical Engineering; Gas, Water and Wastewater Engineering; and Telecommunications. The Utility Division has 23 full-time positions comprised of one support staff and 21 technical staff members, plus the Director. The Division will have one more economist, through a SERA grant, solely devoted to renewable energy and energy efficiency issues though December 2012.

RESPONSIBILITY

The Utility Division reviews and evaluates all utility and telecommunications matters filed with the Commission and provides appropriate recommendations within established timeframes in docketed proceedings. Division Staff advocates position before the Hearing Examiners or the Commission in the form of testimony and exhibits to ensure that adequate, safe and reliable utility and telecommunications services are provided at fair, just and reasonable rates. In addition, Division Staff ensures and enforces compliance by utility and telecommunication providers with Commission Rules, Orders and Tariffs.

Utility Division Staff provides technical support to the Commission concerning legislation in the form of bill drafting, analysis and expert testimony. It offers similar technical and research assistance to the Commission in areas of evolving technology, particularly renewable energy and energy efficiency and broadband deployment. Utility Division Staff provides technical support to the Commission concerning legislation, in the form of bill drafting, analysis and expert testimony. It offers similar technical and research assistance to the Commission in areas of evolving technology, particularly renewable energy and energy efficiency.

Utility Staff collaborates with the Consumer Relations Division, as well as with other state agencies such as the Attorney General, the New Mexico Environment Department and the Office of the State Engineer. The Division also collects inspection and supervision fees for Utilities and Utility and Carrier Inspection Fees for Telecommunications Carriers.

OPERATIONS

Each utility, other than telecommunications, under PRC jurisdiction, is assigned a multi-disciplinary team comprised of an accountant, economist, and engineer and, with the cooperation of the Legal Division, an attorney. This arrangement allows for the automatic assignment of matters related to a specific utility. In addition, familiarity gained from permanent team assignment results in more expedient and efficient processing of utility matters. In telecommunications, similar teams are organized around specific cases or issues.

Within each team, a technical staff member is given the responsibility as company coordinator. As coordinator, the staff member has the duty to make assignments to the team and, with the input from team members, develop the most effective strategy concerning the case. The coordinator is responsible for calling team meetings and assuring that the team has the necessary information and tools for processing the case.

INITIATIVES, GOALS AND OBJECTIVES

The programs reflect the changing environment and caseload of the Utility Division. The program priorities are reviewed an updated annually to project where resources are to be directed. While the Strategic Plan involves both short and long term goals and objectives the following items encompass plans that extend beyond the fiscal year.

Initiative 1: General Utility Cases (other than Telecommunication)

<u>Goal: Working for You</u>
Perform as the party representing the public interest in electric, natural gas, water and wastewater certification, financing and rate cases. This program requires the entire Utility Division staff. Review and evaluate applications by utilities to obtain or transfer a Certificate of Public Convenience and Necessity.

<u>Objectives</u>
To provide expert analysis and testimony in support of the public interest in electric, natural gas, water and wastewater cases. Review and evaluate applications by utilities to obtain or transfer a Certificate of Public Convenience and Necessity. The program requires the entire Utility Division Staff.

<u>Fiscal Year 2013 Action Plan</u>
The team of accountants, economists, and engineers assigned to each utility must process financing filings and receive a Commission final order within 30 days. Some field work is necessary for investigation of complaints, particularly in the water sector, where complex jurisdictional or territorial issues exist. Fuel clause filings are another area of increased workload.

<u>Description of Measure</u>
Successful completion can be measured by assessment of timeliness and quality of analysis, testimony and defense of position on cross-examination during hearings.

<u>Measurement Method</u>
1. Timeliness of filings consistent with deadlines imposed by Hearing Examiners or Commissioners.
2. Quality of product as determined by Commission, consumer, and regulated utilities.

Initiative 2: Utility Rate Cases (other than Telecommunications)

<u>Goal: Working for You</u>
Perform as the party representing the public interest in electric, natural gas, water and wastewater rate cases. Review and evaluate applications by utilities to change rates (usually by increasing them). This program requires the entire Utility Division staff and has taken on increasing complexity by recent statutory amendment permitting the utilization of a future test year. More cases are being filed more frequently as well, while fewer are successfully resolved through settlement.

<u>Objectives</u>
To provide expert analysis and testimony in support of the public interest in electric, natural gas, water and wastewater rate cases.

<u>Fiscal Year 2013 Action Plan</u>
The team of accountants, economists and engineers assigned to each utility must processes filings and receive a Commission final order within 10 months of filing, per statute. (Commission may extend for an additional three months.)

<u>Description of Measure</u>
Successful completion can be measured by assessment of timeliness and quality of analysis, testimony and defense of position on cross-examination during hearings.

<u>Measurement Method</u>
1. Timeliness of filings consistent with deadlines imposed by Hearing Examiners or Commissioners.
2. Quality of product as determined by Commission, consumer and regulated utilities.

Initiative 3: Review Renewable Portfolio Standards and Energy Efficiency Annual Filings

<u>Goal: Working for You</u>
Perform independent review of electric utility RPS and of electric and gas utility energy efficiency or load management program filings to assure compliance with Commission rules, statutory mandates and the public interest.

<u>Objectives</u>
Provide expert analysis and testimony in support of the public interest in electric utility RPS filings and electric and gas utility energy efficiency or load management program filings.

<u>Fiscal Year 2013 Action Plan</u>
The team of accountants, economists, and engineers assigned to each utility must process and review annual RPS filings in time for the Commission to issue and final order within 90 days, and review energy efficiency or load management program filings in time for the Commission to issue a final order within 120 days.

<u>Description of Measure</u>
Successful completion can be measured by assessment of timeliness and quality of analysis, testimony and defense of position on cross-examination during hearings.

<u>Measurement Method</u>
1. Timeliness of filings consistent with deadlines imposed by Hearing Examiners or Commissioners.
2. Quality of product as determined by the Commission, consumer, and regulated utility.

Initiative 4: Telecommunications Contracts, Interconnections and Tariffs

<u>Goal: Working for You</u>
Review pleadings related to Individual Contracts Basis, Interconnection Agreements, Promotions and Changes in Circumstances and/or Ownership. These filings require expedited review and approval from the Commission: Tariff revisions and introduction of

new tariffs for new services. The Commission receives anywhere from 30 to 50 of these types of tariff filings on a monthly basis.

Objectives

The objective is to review and evaluate the filings in a timely period. The goal is to complete the review and evaluation of the filings within the statutory or Commission deadlines and present a recommendation to the Commission on whether to approve or disapprove the filing.

Fiscal Year 2013 Action Plan

The action plan is to assign a technical member, either an economist, engineer or compliance officer, to complete the review and evaluation of the filings within the statutory or Commission deadline.

Description of Measure

Successful completion can be measured by assessment of timely completion of the review and evaluation process, and timely protest if the filing is deemed to be incomplete or defective by Staff.

Measurement Method

1. All applications are processed within deadlines and if deemed incomplete or defective, presented to the Commission for evaluation within the statutory or Commission deadline.
2. Quality of product as determined by the Commission, consumer and regulated utility.

Initiative 5: Telecommunications Companies' Quality of Service Reporting

Goal: Working for You

Quest's Third Alternative Form of Regulation Plan (AFOR Plan) requires Quest to abide by a flexible pricing plan, plus file monthly, quarterly and annual reports on quality of service for its operations in New Mexico according to the Commission's Quality of Service Rule for large carriers. NMAC 17.11.22. The Commission also requires mid-size carriers to file quality of service reports annually according to the mid-size carrier Quality of Service Rule NMAC 17.11.24. To enforce this rule may also require financial and infrastructure inspection, detailed investigation and reporting of outage incidents.

Objectives

The objective is to review and evaluate the quality of service reports in a timely period. The goal is to complete the review and evaluation of the reports within 30 days of filing and respond back to the carrier regarding compliance with Commission rules.

Fiscal Year 2013 Action Plan

The action plan is to assign the large and mid-size carrier teams to complete the review and evaluation of the reports within 30 days of filing.

Description of Measure

Successful completion can be measured by assessment of timely completion of the review and evaluation process.

Measurement Method

1. All applications are processed within 30 days and presented for approval.

2. Quality of product as determined by review of the Commission, companies and consumers.

Initiative 6: Telecommunications ETC Applications

Application for Commission designation as an Eligible Telecommunications Carrier (ETC): Designation as an ETC makes a telecommunications carrier eligible to obtain funds from the Federal Universal Service Fund.

Goal: Working for You
The goal is to review and evaluate ETC applications for compliance with Commission rules and statutory requirements.

Objectives
The objective is to complete the review and evaluation of the ETC applications within 60 days of filing and respond back to the carrier regarding the sufficiency of the filing. Additionally, it is the goal to complete the regulatory process (Commission Final Order) within 120 days of the filing date. This time allows for discovery, testimony, hearing, recommended decision and a Commission Final Order.

Fiscal Year 2013 Action Plan
The action plan is to assign an engineer or economist, to complete the review and evaluation of the ETC application within 60 days of the filing. The technical staff member shall file testimony within 90 days of the filing of the ETC application.

Description of Measure
Successful completion can be measured by assessment of timely completion of the review and evaluation process and the filing of testimony within 90 days of the filing date.

Measurement Method

3. Testimonies on ETC applications are filed within 90 days of the filing of the ETC application.
4. Quality of product as determined by review of the Commission.

TRANSPORTATION DIVISION

OVERVIEW

The Transportation Division is charged with administering the New Mexico Motor Carrier Act, Section 65-2A-1, NMSA 1978 et. seq., the Ambulance Standards Act section 65-6-4 NMSA, et seq., the New Mexico excavation damage prevention law Section 62.14 et seq., Section 70-3-1 NMSA 1978 (oil pipeline common carrier rates and tariffs), Sections 70-3-2 & 3 NMSA 1978 (annual licenses for pipelines operating in New Mexico), Section 70-3-4 NMSA (pipeline highway and railroad crossings), Section 70-3-10 NMSA 1978 (malicious attachments to pipelines,) Sections 70-3-21 & 22 NMSA 1978 (pipeline safety fund), the New Mexico Pipeline Safety Act Section 70-3-11, NMSA 1978 et. seq., and 49 Code of Federal Regulations (CFR) Parts 190 -199 which provides a minimum standards for Pipeline Safety.

MISSION

It is the mission of the Transportation Division to protect the interests of New Mexicans by effectively enforcing the provisions of the New Mexico Motor Carrier Act, the Code of Federal Regulations Parts 190 to 199 and select, New Mexico rules and regulations that pertain to transportation. The Division also enforces the federal minimum safety standards for intrastate gas pipeline facilities and all state regulations and rules specific to pipeline safety.

The Division has full regulatory authority for rates, routes and services over intra-state passenger carriers (except charter services), and intra-state household goods carriers and intra-state wrecker services regarding insurance, safety and the rates charged for non-consensual tows. The Division has insurance and safety authority over intra-state property carriers, and safety authority over intra-state railroads through an agreement with the Federal Railroad Administration. The Division has the responsibility to set the limits and register the insurance of "incidental carriers". The Motor Carrier Act defines an incidental carrier as "…a motor carrier of persons that provides services for which the customer pays either directly or indirectly and that transports passengers in conjunction with the primary service that it provides…" The Division has the responsibility to collect a Unified Carrier Registration Program fee from motor carriers operating in interstate commerce who have their principal place of business in the State or in non-participating jurisdictions in the Federal Motor Carrier Safety Administration region in which New Mexico is a part of. The fee is based on the fleet size of the motor carrier.

The Pipeline Safety Bureau, through agreements with the Pipeline and Hazardous Material Safety Administration of the United States Department of Transportation enforces the federal safety standards for all intrastate natural gas and hazardous pipeline facilities.

The PRC through the Transportation Division has authority over 2,667 regulated carriers broken down by type of carrier as follows:

Type of Carrier	Total
Ambulance Services	84
Household Goods Carriers	54
Passenger Carriers	173
Towing Services	380
Warranted Carriers of Property	1656
Railroads (all classes)	10
Natural Gas Gathering & Transmission Companies	25
Natural Gas Distribution Companies	15
Master Meter Operators	215
LPG Operators	7
Hazardous Liquid Pipeline Operators	9

The Unified Carrier Registration (UCR) unit mailed out over 18,000 UCR applications for the year 2011, which included New Mexico, Arizona and Mexico motor carriers. The UCR unit collected approximately $1.5 million for fiscal year 2011, which was sent to the New Mexico road fund.

The 271 pipeline system operators above represent more than 16,000 miles of intrastate jurisdictional gathering, transmission and distribution main pipelines, and over 600,000 natural gas services. Additionally, the Division has authority in New Mexico of all persons engaging in excavation by mechanical means or blasting. The Division estimates that this includes well over 3,000 professional excavating companies and nearly 500 underground facility operators.

ORGANIZATION

The Transportation Division has 27 full time employees (FTE) and is headed by the Division Director (2 FTE). The Division has three bureaus: Compliance (8 FTE), Applications (6 FTE) and Pipeline (11 FTE). The Transportation Bureaus are composed of administrative, clerical and investigator staff. The Pipeline Safety Bureau is supported by engineering and engineering specialists. By statue, the Pipeline Safety Bureau must have a professional engineer to serve as "pipeline safety engineer."

OPERATIONS

The Division administers a regulatory system with primary goals of fairness and consistency and one that strives to be user friendly. The Division continues to streamline all application processes by developing and enhancing applications that are easier to complete, contain pertinent information, and are able to be processed in a timelier manner. The Division developed Standard Operating Procedures that describe the procedures, processes and timelines that staff must follow in the course of their daily work. The Division also continues to educate the public about transportation and pipeline safety by sponsoring or participating in safety seminars throughout the state.

Pipeline Safety enforcement and excavation damage prevention rules have been developed and are being implemented. The Division has ongoing communications with the Motor Transportation Division of the Department of Public Safety, to promote effective communication and coordination between the two agencies in an effort to dramatically improve the safety of the motoring public.

INITIATIVES, GOALS AND OBJECTIVES

TRANSPORTATION: COMPLIANCE AND APPLICATIONS UNITS

Initiative 1: Motor Carrier and Regulatory Compliance

<u>Goal: Working for You</u>
To further implement new transportation rules by incorporating those standards and disseminating that information to the affected parties.

<u>Objectives</u>
The Transportation Division will achieve the goal through continuous review the Motor Carrier Act to ensure compliance with current standards and laws, and to request those changes through legislative procedures. Additionally, MTD will continue to facilitate communication between state transportation agencies by holding regular strategic meetings and other correspondence as needed

Fiscal Year 2013 Action Plan

1. The Division will continue to recommend that the New Mexico Public Regulation Commission propose legislation that will eliminate economic barriers to the transportation market place. The proposed legislation would require tougher safety provisions for new and existing motor carriers.

2. The Division will continue to recommend that the PRC enter into a memorandum of agreement with the IPEMS Bureau/DOH regarding ambulance responsibilities.

3. The Division will work to streamline and simplify existing processes that are burdensome to the public and the industries regulated by the Commission.

4. The Division will work to improve relations with the Motor Transportation Division (MTD) of the Department of Public Safety in order to improve the safety of the public. The Division is working to develop an MOU with MTD to clarify existing laws that require MTD to provide field enforcement of PRC rules and regulations.

5. The Division will initiate proposed railroad rule changes and recommend expanded inspection of passenger rail transportation with an emphasis on commuter carriers and changes with the federal "Rail Safety Act."

PIPELINE SAFETY BUREAU

The Pipeline Safety Bureau (PSB) enforces Federal and State pipeline safety regulations and excavation damage prevention rules in order to provide for the safety of the citizens of New Mexico. With the United States Department of Transportation, the PSB is responsible for safety compliance inspections and enforcing state and federal pipeline safety regulations on intrastate gas and hazardous liquid pipeline facilities. That includes private and municipal gas distribution system, master meter gas systems, LPG systems, transmission systems and jurisdictional gathering lines.

The PSB is completely funded by the federal grants and fees generated to the Pipeline Safety Fund, which was established as a permanent non-reverting special revenue fund in fiscal year 2005. Revenues for this fund are generated from fees levied on intrastate operating companies and provide approximately 45% of funding for the Bureau. Many of the intrastate pipeline-operating companies pass on the fee to their customers.

INITIATIVES, GOALS AND OBJECTIVES

Initiative 2: Excavation Damage Prevention Law Violation Tracking System

Goal: Working for You/Working on Us

The Pipeline Safety Bureau will use an automated excavation damage prevention & law violation tracking system for purpose of increasing public safety awareness and that allows for better advanced internal search and recording capabilities by staff.

Objectives

The Bureau will enhance the development an Excavation Damage Prevention Law Violation Tracking system to facilitate the reporting of third party damages to underground facilities and to manage the enforcement of violations and to track compliance with enforcement actions. The tracking system will be used daily for this purpose.

Fiscal Year 2013 Action Plan
The system will be used for monitoring of data and used for compliance purposes. Any needed enhancements will made to the system by in-house programmers.

Description of Measure
Successful implementation of the new system will be that it simplifies the recording, reporting, and enforcement processes.

Measurement Method
1. Reduction in the time to extract information.
2. Increase in the number of companies that are audited and tracked.
3. Increase in the accuracy of data.

Initiative 3: Master Meter Outreach Program

Goal: Working for You
The goal is to have an effective outreach training program that can be accessed and used effectively by regulated entities.

Objectives
The objective is to train users of master meters operations on new development for this program. The training component will consist of a classroom curriculum and materials on the requirements of pipeline safety regulations as they apply to apartment complexes, mobile home parks school complexes, etc. It is anticipated that after development training classes will be conducted on an on-going basis throughout the state for master meter operators, their contractors, and other involved in the construction and operations of master meter systems.

Fiscal Year 2013 Action Plan
The Bureau will continue with the Master Meter Outreach Program in coordination with the building inspection jurisdictions and will develop and implement the master meter training component.

Description of Measure
Successful implementation of the program will be number of entities that are compliant and the increase in master meter safety.

Measurement Method
1. Reduction in the number of master meter violations.
2. Increase in the number of users accessing the system.

CONSUMER RELATIONS DIVISION

OVERVIEW

The Consumer Relations Division assists consumers with inquiries and complaints against companies that are regulated by the New Mexico Public Regulation Commission. The division consists of two bureaus: Utility and Transportation Complaints and Insurance

Complaints. The division's compliance officers assist consumers with their disputes in an effort to resolve consumer troubles in a fair and timely manner. Our compliance officers utilize mediation and alternative dispute resolution methods to solve consumer complaints. The division also receives and investigates non-docketed consumer inquires.

MISSION

The Consumer Relations Division is dedicated to establishing and maintaining quality consumer services among those industries overseen by the Public Regulation Commission. The Consumer Relations Division investigates consumer inquiries and acts as the outreach office for the Commission by developing and implementing public awareness programs.

The CRD compiles consumer information and develops data to advise the commission about consumer related issues and trends. The division also assists the Commission to develop and implement consumer policies and programs. The CRD works closely with the consumer protection divisions of the New Mexico Attorney General and Governor's Constituent Services Office to ensure fair, timely resolution of consumer inquires and complaints. The CRD is charged with Investigating and resolving all consumer inquires and complaints in a fair, timely manner, educate consumers about the New Mexico Public Regulation Commission's services, consumer programs and regulations; and compile and develop consumer information and data to advise the Commission about consumer related issues and trends.

The Consumer Relations Division's bureaus process consumer inquiries and complaints on a daily basis. The division receives a large volume of telephone calls daily from New Mexico consumers requesting information on various industries such as insurance, telecommunication, gas, electric, water, sewer and transportation companies. Consumers often ask about rates, claims handling, rules and consumer rights. CRD compliance officers spend a considerable amount of time on the telephone providing information to, and answering questions from, consumers and industry representatives.

ORGANIZATION

Nine professional employees currently staff the Consumer Relations Division, which is headed by the Division Director. The Utility Tariff & Compliance Section is headed by a staff manager and complemented by four compliance specialists. The Insurance Compliance Section is headed by a staff manager and two compliance specialists.

CRD UTILITY AND TRANSPORTATION COMPLAINT BUREAU

The Utility and Transportation Complaint Bureau manages consumer inquiries and complaints related to the following industries:

<u>Utilities</u>	<u>Telecommunications</u>	<u>Transportation</u>
Investor-Owned Electric Utilities	Slamming & Cramming	Non-consensual Wrecker Service Tows
Rural Electric Cooperatives	Customer Service	Limousine Services
Natural Gas Utilities	Repair Issues	Taxi Services
Investor-Owned Water Utilities	Billing Issues	Shuttle Bus Services
Sewer Utilities	Lack of infrastructure	
Water & Sanitation Districts		

CRD INSURANCE COMPLAINT BUREAU

The Insurance Complaint Bureau manages consumer inquiries and complaints related to the following insurance industry areas: Auto, Fire, Commercial, Homeowners, Accident & Health, Life & Annuity, Liability and miscellaneous.

INITIATIVES, GOALS AND OBJECTIVES

Initiative 1: Complaints and Resolution

It is the function of this program to answer, process, and resolve complaints for all industries and carriers that are regulated by the Commission.

Goal: Working for You

The Division's goal is to process consumer inquiries and complaints in a timely, knowledgeable, professional manner to ensure that New Mexico laws, rules, regulations and tariffs are legally adhered to by PRC regulated industries, and to do so within an average processing time of 24 hours or less for the Utility and Transportation Complaint Bureau and within statutory requirements for the Insurance Complaint Bureau.

Objectives

The Division will investigate all PRC related consumer complaints

Fiscal Year 2013 Action Plan

The Division will continue on-going activities that are needed to carry out this function. The Division will also continue to develop and participate in community outreach programs, education and public information events. Furthermore, the Division will provide more public access to consumer complaint information via new PRC website.

Description of Measure

Successful implementation will be timeliness to resolve complaints and consumer satisfaction with the process.

Measurement Method

1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of the resolution process as determined by the Commission, consumer and supervisor.

Initiative 2: Staff Enhancement

Ongoing educational training is necessary to keep CRD compliance officers, supervisors and managers knowledgeable of statutory and industry changes.

Goal: Working on Us/Working for You

The goal is to provide consumers with the most current information by increasing the knowledge-base of staff.

Objectives

The objective is to keep staff well informed and educated through both in-house and external training on current and upcoming changes within law or practice in order to maintain and deliver accurate information to consumers.

Fiscal Year 2013 Action Plan
Division staff will be provided the opportunity to attend two training sessions during the fiscal year in the areas germane to their specialization, and set user-friendly guidelines for submitting complaints.

Description of Measure
Successful completion can be measured by assessment of timely completion of the consumer complaints against specific criteria and statutory requirements.

Measurement Method
1. The average number of hours to handle non-insurance related complaints is 24-hours or less, and the insurance complaints are processed within the 21 day statutory timeframe.
2. Quality of product as determined by Commission, customer, and supervisor.

INSURANCE DIVISION

OVERVIEW

The Division has been tased with implementation of The Patient and Protection and Affordable Care Act, which includes a large number of health-related provisions to take effect over the next four years. To accomplish this task, the Division will take the necessary steps to ensure that New Mexico's law meets the minimum federal standards.

The Division supports its financial activities with dedicated funds that are used to improve the Division's ability to strategically plan how resources will be utilized to improve insurance regulation in New Mexico. The Insurance Division's function is to provide a solid regulatory framework for an efficient, safe, fair and stable insurance market in New Mexico for the benefit and protection of all New Mexicans. The Division seeks to promote an insurance market in New Mexico that provides our individual and business customers with access to reliable insurance products that meet their needs and are underwritten by financially sound insurers that charge competitive rates and are represented by qualified insurance agents and brokers.

Everyone in New Mexico is affected by risk or the uncertainty of an unforeseen occurrence or loss, in one way or another. Individuals, businesses and other organizations face various risks in their different activities. Insurance protects them from these risks that affect their property, lives and health.

In October 2010, the Division was awarded a Consumer Assistance grant, which will help enhance consumer outreach for insurance issues in New Mexico. A second grant was awarded to improve consumer knowledge of insurance rate review processes. The Division will provide more information to consumers about the rate review process, as mandated by the new federal health plan.

MISSION

To assure easy public access to reliable insurance products that meet consumers' needs, are underwritten by dependable, reputable, financially sound companies that charge fair and reasonable rates and are represented by trustworthy, qualified agents, while promoting a positive competitive business climate though a caring and qualified staff.

INITIATIVES, GOALS AND OBJECTIVES BY ORGANIZATIONAL UNIT

LICENSING, FORM & RATE REVIEW SECTIONS

Company Licensing Unit

The function of this unit is to license and/or register companies and other related insurance entities. To maintain the Special, General and Trust Deposits held with the Custodial Bank and State Treasurer's office for benefit of policyholders on the State of New Mexico. To review the documentation submitted for acquisitions, re-domestications, mergers, class code changes and name changes for all insurance entities regulated in the State of New Mexico. The CLB is also responsible for the collection of Surplus Line Broker Premium Taxes and Surplus Line Insurer Policy Filings.

Goal: Working for You
The goal is to maintain compliance with its performance measure outcome which is to have 90% of company certificate of authority applications and registrations processed within 180 days.

Objectives
The Bureau's objectives are to monitor and improve the company licensure process to exceed the applicable performance measure targets; improve information systems and reporting to the NAIC; develop on-line filing capabilities; automate manual procedures; and, develop and implement an automated telephone system.

Fiscal Year 2013 Action Plan
The Company Licensing Unit staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes to ensure all company licenses are approved and processed in a timely manner.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of days to process applications.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

Agents Licensing Unit

The Agents Licensing Bureau is responsible for the licensing and regulation of individuals and businesses who conduct insurance business in the state of New Mexico. To protect insurance consumers, the Bureau determines the qualifications and eligibility of applicants and processes license applications, company appointments by insurers, renewals, banking of continuing education credits and approval of pre-licensing and continuing education courses. There are currently 96,169 licensed agent, broker, adjuster, surplus line broker, third-party administrator, insurance consultant, viatical broker, bail bondsmen, solicitors, motor club, communication sellers and insurance agencies in New Mexico.

Goal: Working for You

The goal is to maintain compliance with the performance measure that requires the unit to meet a targeted outcome of processing 90% of producer applications, appointment's, and renewals within 10 business days.

Objectives

The Bureau's objectives are to continue the performance improvement process to further streamline procedures to move toward our goal of "same day processing"; work with independent information system contract programmers to enhance the information system to automate and support licensing, renewal and appointment processing; refine the new continuing education program and enhance enforcement; implement the automated telephone system; promote the utilization of the PRC and Division's website to improve communication with insurance producers and develop online processing; utilize the Performance Improvement Team process to review, reduce and amend all applications and forms; and, explore and lobby for legislation to stagger filing dates and adopt NAIC model laws.

Fiscal Year 2013 Action Plan

The Agent's Licensing Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes. The Bureau staff will develop online documents for faster and more efficient processing, thus reducing application approval time.

Description of Measure

Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method

1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of days to process applications.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

Property and Casualty Insurance Unit

The Property & Casualty Rate and Form Filing Unit assists the Superintendent in reviewing and approving of all property and casualty policy forms to ensure compliance with the New Mexico Insurance Code and Insurance Division rules.

Goal: Working for You

The goal is to be compliant with the Bureau's performance measure which is process 90% of form and rate filings within 90 days. The bureau endeavors to provide consumers with the most comprehensive insurance coverage at the most competitive premiums; to provide the industry with the latest possible technology to approve and implement their insurance products to the markets and to the consumers as soon as possible, thus ensuring that we are compliant with the Speed to Market initiatives as set forth by the National Association of Insurance Commissioners, thus complying with their certification requirements. We will eliminate the need to retrieve public records from archives as all our records will be available through SERFF.

Objectives

The objectives are to work with contracted and in-house computer programmers to improve the Insurance Division's interaction with NAIC, the insurance industry and the consumers, as well as improvements to the IDEAL information database.
SERFF (System for Electronic Rate, Rule and Forms Filings) was adopted in 2003 as the only means to receive and approve all property and casualty rate, rule and form filings. SERFF initially served as the vehicle for both paper and electronic filings. In 2008, it was made mandatory that all property and casualty rate, rule and form filings be submitted electronically for consideration. Today the SERFF system is still the only means of submitting a filing for approval. To implement and assist with the implementation of imaging and BIZFLOW systems to support the Insurance Division's archiving initiatives. Mandatory electronic filings not only created a huge savings to the division, but also helped improve the method of responding to request to inspect public records.

To assist the Superintendent in responding to consumer outreach and compliant activity related to Property and Casualty insurance products and rates.

Fiscal Year 2013 Action Plan

The Property and Casualty Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes. The New Mexico Division of Insurance as of June 2010 mandated the use of SERFF, requiring all rate and form filings submitted for approval to the Superintendent must be submitted electronically. Paper filings are no longer accepted, thus facilitating the review and approval of all filings, and ensuring speed to market and a greater accountability of all filings submitted for consideration. This provides the consumer with a wider range of insurance products at more competitive rates, resulting in lower insurance premiums.

Description of Measure

Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method

1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of days to process applications.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

Life and Health Insurance Unit

The Life & Health Rate and Form Filing Bureau assists the Superintendent in reviewing and approving all life and health annuities, accident and health, Medicare supplement, long term and credit life and disability forms to ensure compliance with the New Mexico Insurance Code, the New Mexico Administrative Code, Insurance Division Bulletins and divisional policies and procedures.

Goal: Working for You

The goal is compliance with the unit's performance measure which is to process 99% of form and rate filings within 90 days.

Goals and Objectives

The Bureau's objectives are improve the performance measure standard to achieve an outcome of 90% in 60 days or 99% in 90 days; work with computer system programmers to improve the Insurance Division's interaction with NAIC databases such as SERFF, as well as improvements to the IDEAL information database system; assist the Superintendent in responding to consumer outreach and complaint activity related to life, annuities, accident and health, Medicare supplement, long term care and credit life and disability products and their respective rates; educate and train staff; striving completion of imaging and BIZFLOW systems to support the Insurance Division's archiving initiatives to enable electronic access to public information and implementation of electronic funds transfers (EFTs).

Fiscal Year 2013 Action Plan
The Life and Health Rate and Form Filing bureau staff will continue to develop systems and processes during the current fiscal year that enhance and streamline the operating processes and build on the requirements set by the new federal healthcare plan.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of days to process applications.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

CONSUMER PROTECTION & ENFORCEMENT BUREAU

Examination Unit

The Examination Bureau reviews all insurance company financial statements filed with the Insurance Division. The Chief Examiner coordinates an internal solvency review team, consisting of actuaries and financial reviewers, to review annual and quarterly statements filed by New Mexico domestic and foreign companies to plan examination activity. The Bureau also conducts periodic financial and market conduct examinations of domestic and foreign insurance companies as well as special target exams.

Goal: Working for You
The Unit's performance measures are to adopt an examination report for all domestic insurance companies at least every five years (at least every 3 years for HMO's) within 18 months of the end of the examination period, and 100% of interventions conducted with insurance companies when risk based capital falls below 200%.

Objectives
The Unit's objectives are to exceed NAIC accreditation standards and obtain the full five-year accreditation; adopt required exams before their due date; and, assist the Superintendent in designing a market analysis tracking system to support the consumer enforcement program and coordinate activities of the Consumer Relations Division, Legal Division and the Managed Health Care, Investigations, Fraud, Title and Workers Compensation Units.

Fiscal Year 2013 Action Plan
The Examination Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating and testing processes.

Bureau staff will also help develop systems to ensure compliance of all examination reviews and meet NAIC accreditation.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of months to process reports.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

INVESTIGATIONS BUREAU

The Investigation Bureau provides investigative services to Insurance Division to determine whether a licensed company or agent has complied with existing state law.

Goal: Working for You
To maintain compliance with the performance measure, which is to process 80% of investigation complaints received and to recommend either further administrative action or closure all within 60 days.

Objectives
The objectives of the Bureau are to design and implement an administrative investigations manual to define investigation's role within the market analysis approach of the Division Consumer Protection & Enforcement Program; obtain administrative investigator training and certification from the Council on Licensure, Enforcement, Administration and Regulation (CLEAR) to enhance investigation skills related to administrative enforcement action; assist the Superintendent in designing an information tracking system to support the consumer enforcement program and coordinate activities of the Consumer Relations Division, Legal Division and the Managed Health Care, Fraud, Title, Workers Compensation and Examinations Bureaus.

Fiscal Year 2013 Action Plan
The Investigations Bureau staff will develop policies and procedures to ensure that investigators have the proper certifications. Bureau staff will also develop and implement systems for disseminating information to the public in a timely manner.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the amount of time for electronic and communication responses.
2. Reduction in the average number of months to process reports.
3. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

MANAGED HEATLH CARE BUREAU

The Managed Health Bureau Unit assists the Superintendent in administering and enforcing the Patient Protection Act, which is part of the New Mexico Insurance Code, and Insurance Division rules. The Bureau assists New Mexico managed health care consumers with their inquiries and complaints. The Bureau conducts over 100 outreach presentations throughout the State to inform consumers and providers of their Patient Protection Act rights. The Managed Health Care Unit assists the Superintendent in administering external grievance appeal reviews. The Managed Health Care Bureau also assists the Superintendent in administrative enforcement and rule-making actions.

Goal: Working for You
To maintain compliance with the unit's performance measure, that is to close 90% of internal and external grievances received within 180 days of filing.

Objectives
The Bureau's objectives are to assist the Superintendent in reviewing and updating managed health care regulations; assist the Superintendent in designing an information tracking system to support the consumer enforcement program and coordinate activities of the Consumer Relations Division, Legal Division and the Investigations, Fraud, Title, Workers Compensation and Examinations Bureaus.

Fiscal Year 2013 Action Plan
The Managed Health Care Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes, thus enabling the Insurance Division's ability to provide comprehensive and accurate information to consumers.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

INSURANCE FRAUD BUREAU

The Insurance Fraud Bureau assists the Superintendent in investigating and prosecuting insurance fraud under the New Mexico Insurance Code by working with state, local and federal law enforcement and regulatory agencies.

Goal: Working for You
To maintain compliance with the bureau's performance measure which is to process 80% of Insurance Fraud Bureau complaints and recommended for either further administrative action or closure within 60 days.

Objectives
The Bureau's goals are to implement and fine-tune the new case tracking and document production information system and develop written procedures to support the applicable

performance measure; develop the arson investigation program; assist the Superintendent in educational outreach to raise public awareness of insurance fraud (e.g. instance, raise public awareness of unauthorized health insurer activities); and, assist the Superintendent in designing an information tracking system to support the consumer enforcement program and coordinate activities of the Consumer Relations Division, the Legal Division and the Managed Health Care, Investigations, Title, Workers Compensation and Examinations Bureaus.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes. Bureau staff will also provide information to consumers, insurance companies and other agencies if instances of insurance fraud.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

TITLE INSURANCE BUREAU

The Title Insurance Bureau assists the Superintendent in regulating the title insurance industry of New Mexico through ratemaking, rule making, title plant inspection and administrative enforcement.

Goal: Working for You
The goal is to attain targeted outcomes for title plan inspections and responses to consumer inquiries and complaints.

Objectives
The objectives are to exceed 20 title plant inspections throughout New Mexico for the next calendar year; assist the Superintendent with the annual title hearing dealing with rates and rules; assist the Superintendent with any enforcement action resulting from examinations of title insurers and agents; assist the Superintendent in designing an information tracking system to support the consumer enforcement program.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.

2. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

WORKERS' COMPENSATION BUREAU

The Workers' Compensation Bureau assists the Superintendent in regulating workers compensation insurance companies, carriers, and agents, in conjunction with other state and federal agencies such as the Workers Compensation Administration and OSHA.

Goal: Working for You
To maintain compliance with the performance measure which is to attain at least 60% of employers whose accident frequency is reduced by counsel, advice and training.

Goals and Objectives
The Unit's objectives are to improve coordination with other agencies such as the Workers Compensation Administration, Construction Industries Division and New Mexico OSHA; expand Appeals Board authority to expedite the resolution of worker grievances; and, assist the Superintendent in designing an information tracking system to support the consumer enforcement program.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes. Bureau staff will also ensure all companies required to offer workers' compensation benefits are complying with the law, as well as providing training and guidance to employees.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of product as determined by the Commission, Superintendent of Insurance and the customer.

FINANCIAL AUDIT BUREAU

The Financial Audit Bureau collects premium taxes and assessments, as well as reconciles 100% of the Insurance Division's funds and prepares and implements.

Goal: Working for You
To be compliance with the performance measure which is to collect 100% of premium tax due from financial audits with a target of one hundred, ten million dollars ($110,000,000).

Objectives
The Bureau's objectives are to improve our auditing and enforcement of revenue collection; successfully implement a new dedicated funding system; work with PIT teams in the areas of fee collection to ensure the proper auditing safeguards, processing and communication with the Administrative Services Division and Department of Finance Authority; assist the Superintendent in the restructuring of the Insurance Division to support the budget, revenue collection and performance measure monitoring; coordinate with the

independent outside computer programmer to make enhancements to our information system to support the Unit's revenue collection abilities and enhance performance and reporting; and, promulgate a rule to govern how premium tax refunds and credits will be processed.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes. The Bureau staff will also develop online payment processes to ensure timely processing of all revenues.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of the resolution process as determined by the supervisor.

STATE FIRE MARSHAL

OVERVIEW

The New Mexico State Fire Marshal Division is comprised of an administrative body and four bureaus. The bureaus are Fire Code Enforcement, Fire Investigation, Fire Service Support, and the Firefighter Training Academy.

MISSION

The mission of the State Fire Marshal Division is to protect the lives and property of New Mexico citizens and guests through fire code enforcement, fire investigation, support for the state's fire departments and training of the state's firefighters.

FIRE CODE ENFORCEMENT BUREAU

The Fire Code Enforcement Bureau provides for the life safety of the public and the reduction of property losses by inspecting public occupancies for compliance with fire and life safety codes. The Bureau conducts a constant review of the codes for possible changes to improve life safety and to be compatible with the building codes enforced by the Construction Industries Department, as required by law.

The Fire Code Enforcement Bureau assures that public buildings are safe by conducting and including initial plans reviews, inspections before occupancy is allowed and periodic inspections during the life of the building. Priority is given to buildings where large numbers of people gather and special conditions might exist, such as schools, theaters and hospitals.

Inspectors are also engage in special enforcement activities such as inspections of above ground flammable liquid storage tanks, regulation of the sale of fireworks, enforcement of the Safe Cigarette Law and fire prevention during the New Mexico State Fair.

PROGRAMS, GOALS AND OBJECTIVES

Initiative 1: Fire Code Enforcement Safety

Goal: Working for You
The Fire Code Enforcement Section's goal is to assure that public buildings are safe.

Objectives
The objectives of how the Bureau will accomplish the goal are to continue to adopt new fire codes that are compatible with those building codes adopted by the Construction Industries Division of the New Mexico Regulation and Licensing Department; maintain and increase partnership agreements with other State agencies, counties, and municipalities that have the ability to assist with code enforcement; and, continue to implement written agreements with local governments that will list their qualified individuals and proper protocol for interaction between the two agencies. The partnership agreements will also address proper procedures when the local government has adopted codes that differ from those adopted by the state.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop systems and processes during the current fiscal year that will enhance and streamline the operating processes, thus enabling more efficient reporting of required information to the State Fire Marshall's Office.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations.

Measurement Method
1. Reduction in the time to resolve complaints to be in line with mandated performance targets.
2. Quality of the resolution process as determined by the Commission, customer, and supervisor.

FIRE INVESTIGATIONS BUREAU

The Fire Investigation Bureau investigates fires and explosions throughout New Mexico. Investigators are on call 24 hours a day and respond to all fires involving state property. Investigators are also available to local authorities when a fire death occurs, the fire origin and cause are undetermined or arson is suspected. In cases with indication of arson, the investigators assist local and state law enforcement agencies with the collection of evidence and the possible prosecution of suspects. This section often works in conjunction with federal, state and local law enforcement agencies.

Initiative 2: Fostering Professional Partnerships for Public Safety

Goal: Working for You
Foster partnerships to create a statewide Arson Task Force. The concept of a statewide Task Force for direct investigations evolved into regional task forces. Partnership agreements with local entities provide the capability to conduct investigations.

Objectives
Establish relationships and networking with local entities, the Insurance Fraud Bureau of the Insurance Division, the New Mexico State Police, the Federal Bureau of Alcohol, Tobacco and Firearms and insurance arson investigators. Establish additional partnerships with local jurisdictions that have investigative abilities, but are not participants in the statewide Arson Task Force.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to develop increase and build upon relationships with professional entities within this respective field.

Description of Measure
Successful completion will be measured by the increased efficiency of working with the external parties to resolve cases.

Measurement Method
1. Increase in the cooperation with local and other entities in arson investigations.
2. Quality of the investigation process resolution by the State Fire Marshal and/or Bureau Chief.

FIRE SERVICE SUPPORT BUREAU

The Fire Service Bureau Section assists fire departments in an effort to improve their ability to serve their communities. Such support includes assistance with preparation for Insurance Services Organization (ISO) rating surveys, fire truck specification review, assistance in obtaining loans through the New Mexico Finance Authority and assistance with grant applications. The Section also assists fire departments along the WIPP transportation routes for any possible emergencies involving waste shipments.

The Fire Service Support Bureau processes the Fire Protection Fund applications and distributes funds. As part of the rules governing the use of the fire fund, this section also audits local fire fund budgets, inspects fire stations, reviews training records and firefighter qualification documentation and reviews equipment purchases. The Fire Service Support coordinators also maintain the monthly fire department reporting system and enter data into the Federal reporting system.

Initiative 3: Increased Qualifications of Fire Departments

Goal: Working for You
Improvement New Mexico fire departments Insurance Services Organization (ISO) classification ratings. Eliminate all Class 10 ISO ratings, with the exception of departments less than three years in existence. Reduce the number of Class 9 ratings by 40%. Inspection and audit of at least 50% of New Mexico fire departments each year.

Objectives
The objectives of the Fire Support Bureau to accomplish the goals are to increase the amount of education and funding for fire departments and inspect and audit fire departments and require and test for implementation corrective action plans.

Fiscal Year 2013 Action Plan
The Bureau staff will continue to inspect at a minimum 50% of fire departments throughout the state and monitor those found to be less than compliant with standards. The Bureau staff will assist local fire departments with a remediation plan to increase their ISO ratings.

Description of Measure
Successful completion will be measured by the number of fire departments who fall within the Class 10 and Class 9 ratings.

Measurement Method
1. Increase in the number of inspections and audits of fire departments.
2. Reduction in the number of fire departments with a Class 10 or a Class 9 rating.
3. Quality of the audit process resolution by the State Fire Marshal and/or Bureau Chief.

FIREFIRGHTER'S TRAINING ACADEMY

The New Mexico Firefighters Training Academy operates a state-of-the art training facility in Socorro to provide training to firefighters from all parts of New Mexico, Native American Nations, and the private sector, throughout the United States and Mexico. The Academy also provides education services, training and counseling to the general public.

Additionally, the Academy provides courses in specialized training through partnerships with the Federal Emergency Management Agency (FEMA) and the National Fire Academy. Courses are designed to meet standards created by the National Fire Protection Association and to assist local fire departments in complying with mandatory training requirements set by the State Fire Marshal's Office. The Academy has 21 principal certification programs, which are nationally accredited by the International Fire Service Accreditation Congress.

The Academy's efforts benefit New Mexico citizens directly with respect to their insurance costs. The cost of fire insurance for local areas is often based on ratings provided by the Insurance Services Organization (ISO). The ISO rating is based, in part, on the ability of the local paid or volunteer fire department to provide adequate response with fire suppression capabilities. Training records are reviewed in the grading process, and play a substantial part in the rating.

PROGRAMS, GOALS AND OBJECTIVES

The goal is for the NMFTA to complete its statutory requirements set out in its legislative mandated performance measures, which are as follows: student training contact hours delivered by the Academy, students trained by the Academy, pass rate for state certification examinations administered by the Academy

Initiative 1: Accreditation

Goal: Working for You
The goal is to continue the Academy's certification program accreditation (extended in 2011) by the International Fire Service Accreditation Congress.

Objectives
The objective to complete the goal is to maintain a proactive monitoring of the facility to be in compliance with the standards required by the International Fire Service Accreditation Congress.

Fiscal Year 2009 Action Plan
The NMFTA staff will continue to maintain systems and processes within accreditation standards during the current fiscal year that will enhance the operating processes.

Description of Measure
Successful completion will be measured by the increased efficiency and output of operations and continued accreditation.

Measurement Method
1. Maintaining accreditation.

Initiative 2: Outreach Program

Goal: Working for You
Develop and expand the Academy outreach program to provide more classes and training opportunities in regionalized localities around the State.

Objectives
Continue to perform outreach and work with and meet with fire chiefs in rural areas in New Mexico to ensure the program is being implemented is in order to facilitate outreach training in various quadrant areas throughout the state for basis and pre-requisite courses.

Fiscal Year 2013 Action Plan
The NMFTA staff will continue to provide field training to local fire departments by dividing the number of required trainings between those conducted in the field and those trainings specifically required at the NMFTA.

Description of Measure
Successful completion will be measured by the increased number of localized trainings conducted in the field and the number of participants for burn and testing completed at the NMFTA.

Measurement Method
1. Completion of 50% of field trainings as compared to total trainings.
2. Completions of burn and testing trainings completed at the NMFTA compared to the total trainings.
3. Increase in the number of fire departments who have received certification.

Initiative 3: Outreach Program

Goal: Working for You
The goal is to have more non-residential trainees participate at specialized trainings and at the Annual Fire School.

Goals and Objectives
The objective is to develop an initiative to increase attendance at specialized events, including the Annual Fire School.

Fiscal Year 2013 Action Plan
The NMFTA staff will continue to solicit its services outside of the State of New Mexico through mailings, networking, and other media.

Description of Measure
Successful completion will be measured by the increased number of participants from outside of New Mexico who attend SFFTA trainings.

Measurement Method
1. Increase in the number of non-residential trainees by 5% per year for four years.

Capital Project Improvements

In order to meet current and future training needs the NMFTA is actively analyzing its physical resources that are used to attain goals and measures. To that end the NMFTA has put together a capital project improvement plan. The plan addresses how the facility will be maintained and expanded and why those resources are being sought. The funding projects being sought through the Legislature are as follows:

Educational Facility

A new educational facility is being sought for the purpose of conducting a variety of training classes in separate rooms and within an auditorium setting. The structure was included in the original plans for the NMFTA in the late 1980's but was never funded with appropriations from the legislature. The new facility will allow professional instruction through a variety of mechanisms and will enhance the delivery of instruction. Currently some classes must be held in the maintenance garage, which is not visually or acoustically viable for effective instruction. Large groups of students must travel on occasion to offsite auditoriums, which is an inefficient use of both instructor and student time.

Cost estimates have begun to enable the NMPRC to request funding in the next three to five years.

The objective for this project is to have a centralized training area where classes can be conducted in an environment that is designed for educational purposes. The goals are to increase the efficiency, value and delivery of instruction. The goals and advantages of this project are:

1. Increase auditory and visual effectiveness of training,
2. Increase efficient use of staff and student time, and
3. Reduce burden of logistics of centralized training.

Replacement of Structure Fire Training Building

The current structure fire burn building is 20 years old and has reached its life expectancy for safely involving live fires within the structure. Current engineering status reports indicate the building is currently within safety standards of heat stress on the concrete structure. However, indicators are the building should be considered for retirement from the current structural training and set up for different aspects of training that do not require live fires and heat exposure. Cost estimates have begun for a replacement building, and efforts should begin for securing funding for a replacement structure in the next three to five years.

LEGAL DIVISION

OVERVIEW

The Legal Division provides legal counsel to all PRC Divisions, and to the Commission in matters not involving advice on contested proceedings before the Commission.

MISSION

The Legal Division's mission is balancing the interests of consumers, utilities and other regulated entities, and other public policy concerns. Legal Division's role is developing a complete record for the use of Commissioners in rendering their decisions and promoting the consistent application of Commission policies.

ORGANIZATION

The Legal Division employs 10 lawyers (including the Director) and two support personnel. Due to continued budget constraints, the Legal Division has lost vital staff. However, the Commission was fortunate enough to be awarded an ARRA grant, creating a temporary lawyer position that will run through December 2012. This temporary position is to be utilized strictly for the renewable energy goals set out in the grant award.

The Division is under the day-to-day supervision of three managing attorneys who generally manage attorneys handling cases in these areas of expertise: Utilities and Telecommunications; Energy; and Corporations, Insurance and Transportation. Although each lawyer has developed special expertise in particular areas of practice, the Division actively employs interdisciplinary training and case assignment, within and across areas of expertise, so that each lawyer has the opportunity to develop competence and experience in various areas. In addition, an attorney from the Legal Division is responsible for the enforcement of Commission orders in the state district courts as necessary to assure compliance by regulated entities.

OPERATIONS

New procedures and protocols have been instituted in the Legal Division with a greater clarification of the roles of support staff for the efficient assignment and tracking of cases. Better internal communication is an important part of the new protocols, as well as delivery of mail, tracking of filings, calendaring and maintenance of attorney files. These new protocols provide for better awareness throughout the Division of the status of cases and free up attorneys to perform the tasks that they need to do to provide the best service to clients.

Each attorney's caseload is now being monitored through the use of the InfoShare system, which provides reporting of case status and case assignment for all case personnel. In addition, each attorney prepares a more detailed case status report on a monthly basis reflecting work done within the past month on active cases, as well as upcoming deadlines.

PROGRAMS, GOALS AND OBJECTIVES

Initiative 1: Client Service to Utility Division

Goal: Working for You/Working for Us
The goal is to work in partnership by providing competent and reliable legal advice to staff, both substantive and procedural, so that the Utility Division and the consumer are better served.

Objectives
Attorneys from the Legal Division participate with multi-disciplinary teams assisting technical staff in analyzing, integrating, assimilating and interpreting complex technical and financial data for the effective presentation of testimony and cross examination of witnesses in hearings. This objective is achieved by: reviewing drafts of expert analysis, testimony, comments, proposed rules and discovery, submitting draft briefs and pleadings to the team for feedback, and preparing staff experts for cross-examination. They also prepare warning letters or petitions in compliance, investigatory or enforcement matters with input from technical staff.

Fiscal Year 2013 Action Plan
Continue to assist staff with all cases for legal sufficiency prior to approval by the Commission.

Description of Measure
Success can be measured by the timeliness and quality of legal services.

Measurement Method
1. Timeliness of filings consistent with deadlines, imposed by law, including Hearing Examiner and Commission orders and consistent with appropriate client expectations in client initiated matters.
2. Quality of work product as determined by supervisor, with input from Utility Division Staff and the Commission.

Initiative 2: Client Service to Transportation Division

Goal: Working for You/Working for Us
The goal is to work in partnership by providing Transportation Division staff competent and reliable legal advice and strategy, both substantive and procedural, so that the Transportation Division and consumer are better served.

Objectives
Attorneys from the Legal Division assist Transportation Division staff in the review and implementation of motor carrier rules and statues, including application and enforcement proceedings. They review inspection and investigative reports for the purpose of possible enforcement action. They draft petitions in compliance, investigatory or enforcement matters. These lawyers also assist Pipeline Safety Bureau by participation in excavation damage settlement conferences to facilitate timely resolution of violations and bring violations to the attention of the Commission for resolution, as appropriate.

Fiscal Year 2013 Action Plan
The Legal Division will continue to assist Transportation staff with all cases for legal sufficiency; thus enabling the Commission to make informed decisions.

Description of Measure
Success can be measured by the timeliness and quality of legal services.

Measurement Method

1. Timeliness of filings can be measured by compliance with deadlines imposed by law, including Hearing Examiner and Commission orders and consistency of providing legal advice and assistance to Transportation Division staff, in line with appropriate client expectations to timeliness.
2. Quality of work product as determined by supervisor and Division Director with input from Transportation Division Staff and the Commission.

Initiative 3: Client Service to Insurance Division

Goal: Working for You/Working for Us

The goal is to work in partnership by providing Insurance Division staff competent and reliable legal advice and strategy as to legal issues, both substantive and procedural, so that the Insurance Division and consumer are better served.

Objectives

Legal Division attorneys will take any necessary and appropriate legal action on matters raised by Insurance Division staff in a timely manner. They represent Insurance Division staff in biennial title insurance rule and rate proceedings. They also represent Insurance Division staff in enforcement actions against licensed agents, insurers and producers for violations of the New Mexico Insurance Code and insurance regulations in hearings before the Superintendent of Insurance. They review and analyze for staff's inspection and investigative reports made for the purpose of possible enforcement action.

Fiscal Year 2013 Action Plan

Continue to assist Insurance Division staff to ensure all cases are legally sound, and enable the Commission to make informed decisions.

Description of Measure

Success can be measured by the timeliness and quality of legal services.

Measurement Method

1. Timeliness of filings measured by compliance with deadlines imposed by law, including Hearing Examiner and Superintendent orders, and consistency of providing legal advice and assistance to Insurance Division staff, in line with appropriate client expectations as to timeliness.
2. Quality of work product as determined by supervisor and Division Director with input from Insurance Division staff and the Commission.

Initiative 4: Client Service to State Fire Marshal Division

Goal: Working for You/Working for Us

The goal is to work in partnership with the State Fire Marshall's Office by providing staff with competent and reliable advice and strategy, as to legal issues, both substantive and procedural, so that the SFMO and consumer are better served.

Objectives

Provide advice and take any necessary or appropriate legal action on matters raised by State Fire Marshal Division staff in a timely manner.

Fiscal Year 2013 Action Plan
Continue to assist SFMO staff with legal advice to enable the commission to make informed decisions.

Description of Measure
Success can be measured by the timeliness and quality of legal services.

Measurement Method
1. Timeliness of filings can be measured by compliance with deadlines imposed by law, including Hearing Examiner and Commission orders, and consistency of providing legal advice and assistance to SFMO staff in line with appropriate climate expectations as to timeliness.
2. Quality of work product as determined by supervisor and Division Director with input from SFMO staff and the Commission.

Initiative 5: Client Service to Administrative Services Division

Goal: Working for You/Working for Us
The goal is to work in partnership by providing Administrative Services Division (ASD) staff competent and reliable legal advice and strategy, both substantive and procedural, so that the division and consumer are better served.

Objectives
Legal Division Attorneys assist the ASD Corporations Bureau staff in interpretation and enforcement of rules applicable to corporations' filings and in responding to public inquiries. They provide legal services to ASD Human Resource Bureau in employment law matters, including appeals of disciplinary actions to State Personnel Board and Union grievances and prohibited practice complaints before the Public Employee Labor Relations Board.

Fiscal Year 2013 Action Plan
Continue to provide ASD staff with legal staff pertaining to all matters of administrative operations.

Description of Measure
Success can be measured by the timeliness and quality of legal services.

Measurement Method
1. Quality of work product work product as determined by supervisor and Division Director with input from ASD Director and staff.
2. Timeliness of work can be measured by compliance with deadlines imposed by law, including SPO and PELRB orders, and consistency in the provision of legal advice and assistance of ASD staff.

Initiative 6: Client Service to Consumer Relations Division

Goal: Working for You/Working for Us
The goal is to work in partnership with Consumer Relations Division (CRD) by providing staff with competent and reliable legal advice and strategy, both substantive and procedural, so that CRD consumers are better served.

Objectives

Legal Division attorneys assist CRD staff in interpretation and enforcement of rules applicable to regulated entities so that CRD staff is better able to respond to consumer inquiries and informal complaints. They represent CRD staff in appeals of CRD determinations of "slamming and cramming" complaints. In addition, they assist CRD staff in promoting increased use of informal mediation.

Fiscal Year 2013 Action Plan

Continue to provide CRD staff with legal guidance and representation in all matters related to consumer complaints.

Description of Measure

Success can be measured by the timeliness and quality of legal advice, and by resolution of consumer disputes at the informal complaint level, including informal mediation.

Measurement Method

1. Timeliness of work can be measured by compliance with deadlines imposed by law, Hearing Examiner and Commission orders, and consistency in the provision of legal advice and assistance to CRD staff, in line with appropriate client expectation as to timeliness.
2. Successful resolution of informal complaints, including formal mediation.
3. Quality of work product as determined by supervisor and Division Director, with input from CRD staff,

Initiative 7: Service to Commission

Goal: Working for You/Working for Us

The goal is to work in partnership with the Chief of Staff and with Commissioners to provide them with competent and reliable legal advice and strategy, both substantive and procedural, to better serve them and the consumer.

Objectives

Implement further cross-training and direct additional legal services to Insurance and Transportation divisions to expedite enforcement matters both at the administrative and district court levels. Continue to direct adequate legal services to energy matters to ensure that the goals of the Renewable Energy Act are met and that energy, as well as other matters filed with the Commission, have sufficient resources devoted to them to permit efficient processing.

Fiscal Year 2013 Action Plan

Provide responsive, competent and reliable legal advice and assistance to the Commission in matters not involving advice on contested proceedings before the Commission to assist the Commission in meeting its goals.

Description of Measure

Success can be measured by the timeliness and quality of services.

Measurement Method

1. Quality of work product as determined by supervisor and Chief of Staff.
2. Timeliness as determined by compliance with Commission imposed and other deadlines, and by the rendition of necessary and appropriate assistance to Commissioners and the Chief of Staff consistent with their reasonable expectations.

CONCLUSION

The Public Regulation Commission serves in a variety of regulatory and customer service functions that are unique and encompassing. The actions of the Commission have an impact on just about every consumer in New Mexico, which makes this regulatory body unique among other state agencies and its counterparts in other states.

This strategic plan serves as an evolving blueprint and compass to provide direction both in the short and long term. Each division and bureau at the agency has formulated a plan of action on how to best meet statutory requirements and measures while remaining watchful of regulatory and operating environments for changes that will affect consumers in the future. It is the goal and responsibility of the Commission to be responsive to consumers and the industries it regulates to lessen the burden on all affected entities while working in the public's interest.